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Attorney Docket No: 24065-004CON

#17/C 528
7/8/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Rothenberg et al.

SERIAL NUMBER: 09/981,606

EXAMINER: Wilder, Cynthia B.

FILING DATE: October 16, 2001

ART UNIT: 1656

FOR: Mutations Associated with Iron Disorders

June 17, 2003
Boston, Massachusetts

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Prior to examination of the above-identified patent application, please amend the application as set forth below and consider the following remarks.

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In the Claims:

TECH CENTER 1600/2900

1. (Currently Amended) A method of diagnosing an iron disorder or a genetic susceptibility to developing said disorder in a mammal, comprising determining the presence of a mutation in exon 2 of an HFE nucleic acid in a biological sample from said mammal, wherein said mutation is at position 193 of SEQ ID NO:1 and is not a C → G substitution at nucleotide 187 of SEQ ID NO:1 and wherein the presence of said mutation is indicative of said disorder or a genetic susceptibility to developing said disorder and wherein said determining step is carried out by nucleic acid hybridization on a microchip.

3.-24. Cancelled

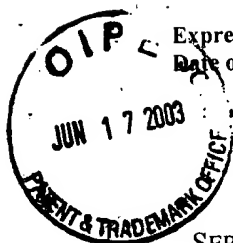
25.-58. Cancelled

59. (New) The method of claim 1, wherein said mutation at position 193 of SEQ ID NO:1 is an A → T substitution.

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RESPONSE TO RESTRICTION REQUIREMENT

TECH CENTER 1600/2900

In response to the Restriction Requirement mailed on December 17, 2002 (Paper 14), Applicants elect the invention of Group I (claims 1-24), drawn to a method of determining a mutation in exon 2 of an HFE nucleic acid for prosecution in the above-referenced application. Applicants further elect the mutation at nucleotide 193 of SEQ ID NO:1.

Applicants submit herewith a petition for a three month extension of time along with the appropriate fee under 37 CFR 1.17(a)(3). The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 24065-004CON).

Respectfully submitted,

Janine M. Susan
Ingrid A. Beattie, Reg. No. 42,306

Janine M. Susan, Reg. No. 46,119
Attorney for Applicants
c/o MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY & POPEO, P.C.

One Financial Center
Boston, Massachusetts 02111
Tel.: (617) 542 6000
Fax: (617) 542-2241